

STATE OF MAINE

SUPREME JUDICIAL COURT
DOCKET NO. BAR-88-2

BORAD OF OVERSEERS OF THE BAR

v.

DECISION and ORDER

HARVEY J. PUTTERBAUGH

This proceeding is brought by Information by the Board of Overseers of the Bar acting through Bar Counsel. It concerns the conduct of respondent Harvey J. Putterbaugh as an attorney at law duly admitted to practice law in the State of Maine. The Information alleges a number of grounds for disciplinary action and the Court concludes that respondent has violated the Code of Professional Responsibility.

The first count refers to legal services rendered on behalf of Waterbeds East, Inc. The Court is not persuaded that the respondent failed to perform the work for which he was engaged in a competent manner, but the Court finds that he failed to maintain adequate communication with his client. Moreover, when requested, he failed to turn over documents and files promptly to his client's new counsel and failed to render a prompt accounting for his fees in violation of Rule 3.5 and 3.6.

The second count refers to the representation of Mark Mulherin. The Court finds that respondent failed to maintain adequate communication with his client and declined to cooperate with the investigation of Bar Counsel in violation of the Rule 3.6 and 2(c).

In view of the fact that respondent has previously received a private reprimand, the Court is persuaded that the violations found herein require a period of suspension.

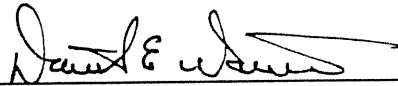
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THE ORDER OF SANCTION:

Respondent Harvey J. Putterbaugh is hereby suspended as an attorney and counsellor at law from the practice of law in all Courts of this State for a period of three months, said period of suspension to commence immediately upon the entry of this Order.

Dated at Augusta, Maine this twelfth day of January, 1990.

A handwritten signature in dark ink, appearing to read "Daniel E. Wathen", written over a horizontal line.

Daniel E. Wathen
Justice, Supreme Judicial Court